

# Exhibit F-1

## “Informal, BP-8”

**Response to Informal Resolution Form**


Inmate: **SCHULTE, Joshua**  
Register Number: **79471-054**

This is in response to your February 21, 2019 Informal Resolution Form, in which you allege the limitations to your social calls and social visitation violate your constitutional rights.

Your SAM places limitations on your social telephone access by stating you are provided calls with a minimum of one per month, and that the calls must be contemporaneously monitored by the FBI. Your SAM similarly limits your social visiting to times the monitoring agents are available. However, you are offered two social visits for two hours each to be comparable to the four one hour visits other non-SAM inmates are offered.

If you are not satisfied with this response, you may address your grievance through the administrative remedy program.

2/28/19  
Date

  
\_\_\_\_\_  
Unit Manager

NYM 1330.7  
ATTACHMENT IMETROPOLITAN CORRECTIONAL CENTER, NEW YORK  
ADMINISTRATIVE REMEDY PROCEDURE FOR INMATESINFORMAL RESOLUTION FORM (BP-8)

NOTE TO INMATE: With the exception of sensitive issues and DHO appeals, you are advised that prior to receiving and filing a Request for Administrative Remedy Form BP229(13) (old BP-9), you MUST attempt to informally resolve your complaint through your correctional counselor. Additionally, in accordance with P.S. 1330.13, you have the responsibility to present complaints in good faith and in an honest and straightforward manner. Before completing this form, you should make every effort to honestly attempt to informally resolve this matter verbally with staff. Briefly state ONE complaint below and list what efforts you have made to resolve your complaint informally.

Date form issued and initials of Corr. Counselor: R. Provo 2/19/19INMATE'S COMMENTS:

1. Complaint: Limited, monitored family contact violate the 8th amendment ban of cruel and unusual punishment. All other inmates are allocated 300 minutes per month while SAMS inmates are arbitrarily limited to 10% as unconstitutional punishment. likewise, all other inmates receive weekly unmonitored contact visit with family while SAMS inmates are restricted to 2 visits, non-contact, and monitored. - this is unconstitutional
2. Efforts made by you to informally resolve: On Tuesday Nov 27th I sent a list of 35 unconstitutional issues that were reviewed by the Warden. I was told the issues would be addressed, but none were.
3. Names of staff you contacted/Date you contacted the staff: Provo, Warden, 11/27/18

Date returned to Correctional Counselor: \_\_\_\_\_

Schultz, Joshua      74471054      2/21/19  
Inmate's Name                      Register Number                      Date

CORRECTIONAL COUNSELOR'S COMMENTS

1. Efforts made to informally resolve and staff contacted: See attached response

Date informally resolved: \_\_\_\_\_ Counselor Signature: \_\_\_\_\_

Date BP-229(13) Issued: 3/2/18Unit Manager: Provo

# Exhibit F-2

## “MCC, BP-9”

**RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B**

Inmate Name: **SCHULTE, Joshua**

Reg. No.: **79471-054**

Administrative Remedy Id.: **971059-F1**

This is in response to your Request for Administrative Remedy dated March 6, 2019, wherein you allege that limited and monitored family contact violate the 8<sup>th</sup> Amendment's prohibition against cruel and unusual punishment. Specifically, you also allege that all other inmates are allocated 300 minutes per month while inmates under Special Administrative Measures are arbitrarily limited to 30 minutes as unconstitutional punishment. You also claim all inmates receive weekly, unmonitored contact visits with family, but SAM's inmates are restricted to two (2) non-contact, monitored visits per month. You make no specific request for relief.

Your SAM provides that the quantity and duration of your non-legally privileged telephone calls with your immediate family members shall be set by USMS/BOP/DF, with a minimum of one call per month. Instead of one 15 minute call per month, as is provided to inmates in the Special Housing Unit, MCC New York provides inmates under SAMs with 30-minutes of social telephone privileges monthly. Because your SAM requires all your calls to be live monitored by FBI and/or CIA, you are provided the maximum call duration currently available to SAM inmates to facilitate the required monitoring without impinging on the visiting and social call privileges of other SAM inmates.

Regarding visiting, your SAM requires contemporaneous monitoring by the FBI and/or CIA. As such, you are offered two, two-hour visits per month instead of the four, one-hour visits afforded to inmates in general population. Accordingly, you are offered the same amount of social visiting privileges as non-SAM inmates.

As you make no specific request for relief, this response is for informational purpose only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7<sup>th</sup> Floor, 2<sup>nd</sup> & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

3/22/19  
Date

L. N'Diaye, Warden

U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons

## REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Schulte, Joshua A 74471-054 105 MCC  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A- INMATE REQUEST

Limited, monitored family contact violate the 8th amendment's ban of cruel and unusual punishment. It is also arbitrarily applied; all other inmates are allocated 300 minutes per month while SAMs inmates are arbitrarily limited to 10% as unconstitutional punishment. 30 minutes of contact per month is cruel and unusual — forbidding contact with loved ones. Likewise, all other inmates receive weekly, unmonitored contact visits with family while SAMs inmates are restricted to 2 visits, non-contact, and monitored. There is absolutely no reason to split the visitors and limit the visit to non-contact.

3/6/19

DATE

*[Signature]*

SIGNATURE OF REQUESTER

## Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

## Part C- RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



# Exhibit F-3

## “Regional, NE”



U.S. Department of Justice

## Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Schulte Joshua A. 79471054 105 NCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

Normal visits and phone calls for pretrial SAMs inmates: ~~I did not receive a response to my BP-9 filed on 3/6/19 and it has now exceeded the 20-day time limitation.~~ Limited, monitored, non-contact communication violates the 1st amendment's freedom of speech, 4th amendment's guarantee of privacy, 5th amendment's guarantee of due process, and the 8th amendment's ban of cruel and unusual punishment. All other inmates are allocated 300 minutes per month of calling while SAMs inmates are arbitrarily limited to 10% as unconstitutional punishment; likewise, all other inmates receive weekly, unmonitored, full-contact visits to family while SAMs inmates are limited to only 2 visits, monitored, and non-contact. Limitations on who a pretrial inmate can contact violates freedom of speech; Recording all conversations is an impermissible wiretap in violation of the 4th amendment; Arbitrary denial to SAMs inmates is impermissible punishment and without due process; Finally, preventing a human being from regularly contacting family or even hugging his mother is cruel and unusual. All these constitutional violations are targeted at pretrial inmates legally presumed innocent.

4/3/19  
DATE\* BP-9 response  
\* Attached \*Paul Schulte  
SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL






# Exhibit F-4

## “Central Office”

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: MAY 31, 2019

  
FROM: ADMINISTRATIVE REMEDY COORDINATOR  
CENTRAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054  
NEW YORK MCC UNT: 9 QTR: Z07-304LAD  
150 PARK ROW  
NEW YORK, NY 10007


FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL  
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY  
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 979386-A1 CENTRAL OFFICE APPEAL  
DATE RECEIVED : MAY 13, 2019  
SUBJECT 1 : COMMUNICATION MANAGEMENT UNIT  
SUBJECT 2 :  
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE  
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE  
INSTITUTION, ~~REGIONAL OFFICE~~  
OFFICE LEVEL.

REJECT REASON 2: ALL FOUR PAGES OF YOUR (BP-9) (BP-10) (BP-11) FORM MUST BE  
LEGIBLE AND WORDED THE SAME. PHOTOCOPIES OF THE FORM WILL  
NOT BE ACCEPTED.

REJECT REASON 3: SEE REMARKS.

REMARKS : NO RECORD OF YOUR APPEALING THIS FIRST AT  
INSTITUTIONAL LEVEL ACCORDING TO SENTRY. WARDEN MUST  
ADDRESS YOUR CONCERN FIRST  


ATTENTION: NO ~~ED~~ BALLPOINT PEN\*

---

AS A SAMS INMATE HELD IN  
SOLITARY CONFINEMENT, I  
HAVE NO ACCESS TO A BALLPOINT  
PEN OR PHOTOCOPIER

U.S. Department of Justice

## Central Office Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: Schulte, Joshua A 74471054 IDS MCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

Normal visits and phone calls for pretrial SAMs inmates: Regional received by BP-10 on 4/12 and denied it because the pen I used did not copy through all the pages. I'm in solitary confinement and MCC will not give me ballpoint pens. Regional could have made copies - they made no good faith attempt to review my BP-10 so I appeal here (they only gave me a single copy of the denial and I have no copies). Limited, monitored, non-contact communication violates the 1st amendment's freedom of speech, 4th amendment's guarantee of privacy, 5th amendment's guarantee of due process, and the 8th amendment's ban of cruel and unusual punishment. All other inmates are allocated 300 minutes per month of calling while SAMs inmates are arbitrarily limited to 10% as unconstitutional punishment; likewise, all other inmates receive weekly, unmonitored, full-contact visits to family while SAMs inmates are limited to only 2 visits, monitored, and non-contact. Limitations on who a pretrial inmate can contact violates freedom of speech; recording all conversations is an impermissible wiretap in violation of the 4th amendment; arbitrary denial to SAMs inmates is impermissible punishment and without due process; Finally, preventing a human being from regularly contacting family or even hugging his mother is cruel and unusual. All these constitutional violations are forgotten at pretrial inmates legally presumed innocent.

5/6/19  
 DATE

Joshua Schulte  
 SIGNATURE OF REQUESTER

## Part B - RESPONSE

RECEIVED

MAY 13 2019

Administrative Remedy Section  
Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 979386-A1

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



U.S. Department of Justice

## Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

## Part A - REASON FOR APPEAL

Handwritten text: I have called for protection since I did not receive a response for my BP-9 filed on 4/6/19 and it has now exceeded the 20-day time limit. I have, multiple times, been denied my 1st amendment rights to freedom of speech, 4th amendment's guarantee of privacy, 5th amendment's guarantee of due process, and the 14th amendment's ban of cruel and unusual punishment. All other inmates are allocated 300 minutes per month of calling while SH's inmates are arbitrarily limited to 100 minutes per month. I have, on other inmates receive weekly, unlimited, full-contact visits to family while SH's inmates are limited to 2 visits, monitored, and non-contact. Limitations on who a potential inmate can call violates freedom of speech. Restricting all communication is an impermissible curbing of 1st amendment. Arbitrary denial to SH's inmates is impermissible punishment and without due process. Finally, preventing a person being from regularly contacting family or even hugging his mother is cruel and unusual. All these constitutional violations are targeted at potential inmates legally presumed innocent.

4/3/19

DATE

\* BP-9 response \*  
\* MATCHED \*

Paul Schulte

SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE RECEIVED  
FEDERAL BUREAU OF PRISONS  
REGIONAL COUNSEL OFFICE

APR 12 2019

MERO-PHILADELPHIA

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

FIRST COPY: REGIONAL FILE COPY

CASE NUMBER: \_\_\_\_\_

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

**RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B**

Inmate Name: SCHULTE, Joshua

Reg. No.: 79471-054

Administrative Remedy Id.: 971059-F1

This is in response to your Request for Administrative Remedy dated March 6, 2019, wherein you allege that limited and monitored family contact violate the 8<sup>th</sup> Amendment's prohibition against cruel and unusual punishment. Specifically, you also allege that all other inmates are allocated 300 minutes per month while inmates under Special Administrative Measures are arbitrarily limited to 30 minutes as unconstitutional punishment. You also claim all inmates receive weekly, unmonitored contact visits with family, but SAM's inmates are restricted to two (2) non-contact, monitored visits per month. You make no specific request for relief.

Your SAM provides that the quantity and duration of your non-legally privileged telephone calls with your immediate family members shall be set by USMS/BOP/DF, with a minimum of one call per month. Instead of one 15 minute call per month, as is provided to inmates in the Special Housing Unit, MCC New York provides inmates under SAMs with 30-minutes of social telephone privileges monthly. Because your SAM requires all your calls to be live monitored by FBI and/or CIA, you are provided the maximum call duration currently available to SAM inmates to facilitate the required monitoring without impinging on the visiting and social call privileges of other SAM inmates.

Regarding visiting, your SAM requires contemporaneous monitoring by the FBI and/or CIA. As such, you are offered two, two-hour visits per month instead of the four, one-hour visits afforded to inmates in general population. Accordingly, you are offered the same amount of social visiting privileges as non-SAM inmates.

As you make no specific request for relief, this response is for informational purpose only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7<sup>th</sup> Floor, 2<sup>nd</sup> & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

3/22/19  
Date

L. N'Diaye, Warden  
L. N'Diaye, Warden



U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

Part A- INMATE REQUEST

Limited, monitored family contact violate the 8<sup>th</sup> amendments ban of cruel and unusual punishment. It is also arbitrary and all other inmates are allocated 300 minutes per month while SNMs inmates are arbitrarily limited to 10% as unconstitutional punishment. 30 minutes of contact per month is cruel and unusual — forbidding contact with loved ones. Likewise, all other inmates receive weekly, unmonitored contact visits with family while SNMs inmates are restricted to 2 visits, non-contact, and monitored. There is absolutely no reason to split the visitors and limit the visit to non-contact.

DATE

SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

THIRD COPY: RETURN TO INMATE

CASE NUMBER:

CASE NUMBER:

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

